



MidAmerican Energy Company  
666 Grand Avenue Suite 500  
Des Moines, Iowa 50309-2580  
(515) 281-2779 Telephone  
(515) 242-4398 Fax  
E-mail: [paroy@midamerican.com](mailto:paroy@midamerican.com)  
Margaret A. Roy, Senior Attorney

September 18, 2018

James Stevens  
Assistant Regional Counsel  
U.S. EPA Region VII  
11201 Renner Blvd.  
Lenexa, KS 66219

RE: Former Manufactured Gas Plant, Council Bluffs, Iowa  
EPA File: IAD 984569093

Dear Mr. Stevens:

This responds to the Environmental Protection Agency's ("EPA") 104(e) request dated August 27, 2018, and received August 29, 2018 by MHC Inc. MHC Inc. is the parent company of MidAmerican Energy Company ("MidAmerican") and has no employees or operations. MidAmerican is providing this response on behalf of itself and MHC Inc. (altogether "Respondents"). Please note that Respondents do not have a parent/subsidiary relationship with Northern Natural Gas Company; Respondents are indirect subsidiaries of Berkshire Hathaway Energy Company ("BHE"). Subject to the objections stated herein, Respondents provide the information below.

### Objections

Respondents have several general objections to the form and content of the information request. Respondents object to the information request on the grounds that it is unduly burdensome and overly broad, is vague and unclear concerning its scope, requires that legal conclusions be made, and seeks information beyond the scope of EPA's authority under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") section 104(e).

Respondents also object to this information request to the extent that it asks for information that is subject to the attorney-client privilege or other applicable privilege, or which constitutes protected attorney work product, or which is otherwise not discoverable.

Where the questions in the information request are vague, ambiguous, overly broad, or beyond the scope of EPA's authority, Respondents have made appropriate and reasonable efforts to interpret the questions and provide responsive information to the best of their ability.

Respondents object to Instruction 1. It is unreasonable and burdensome to require submission of a narrative summarizing documents when the documents are requested as well.

Respondents have made a diligent and reasonable effort to seek out and obtain information and documents in response to the request. Respondents' submission of the enclosed information is made without waiver of any objections or rights even if not asserted herein, and should not be construed as and is not an admission of liability under state or federal law. Further, Respondents reserve the right to supplement the response, as appropriate.

OTHY

40549248



Superfund

awoo

9/18/18

52

CTL

**1. Provide available information regarding the acquisition of the facility by Northern Natural Gas from Council Bluffs Gas Company in approximately 1960. With regard to this transaction:**

**(a) State whether it was an asset or stock purchase. Provide all documents relating to such transaction, including copies of any purchase or merger agreements, and documents pertaining to any agreements, express or implied, for the purchasing corporation to assume any or all liabilities of Council Bluffs Gas Company.**

Answer: No information found.

**2. Provide available information regarding the acquisition of Council Bluffs Gas Company in approximately 1964 by Northern Natural Gas. With regard to this transaction:**

**(a) State whether it was an asset or stock purchase. Provide all documents relating to such transaction, including copies of any purchase or merger agreements, and documents pertaining to any agreements, express or implied, for the purchasing corporation to assume any or all liabilities of Council Bluffs Gas Company.**

Answer: No information found.

**3. Regarding the acquisition of Northern Natural Gas by Dynegy in approximately 2001, whether the transaction consisted of a merger, consolidation, sale or transfer of assets, and submit all documents relating to such transaction, including all documents pertaining to any agreements, express or implied, for the purchasing corporation to assume any or all liabilities of the selling corporation.**

Answer: No information found.

**4. Regarding the acquisition of Northern Natural Gas by MidAmerican Energy Holdings and Northern Natural Gas Company in approximately 2002, whether the transaction consisted of a merger, consolidation, sale or transfer of assets, and documents relating to such transaction, including all documents pertaining to any agreements, express or implied, for the purchasing corporation to assume any or all liabilities of the selling corporation.**

Answer: No information found.

**5. Identify the current status of MidAmerican Energy Holdings Company and Northern Natural Gas, including current company name, ownership, whether it has dissolved itself into any other corporation, subsidiary, division or other entity, and if so, identify the entities. State if the transaction(s) consisted of a merger, consolidation, sale or transfer of assets and submit all documents pertaining to such transaction(s).**

Answer: Based on a filing with the Iowa Secretary of State's office, MidAmerican Energy Holdings Company changed its name to BHE effective April 30, 2014. BHE reported in its Form 10-K for the fiscal year ended December 31, 2017 that Berkshire Hathaway Inc. owns 90.2% of BHE's common stock. The balance of BHE's common stock is beneficially owned by Walter Scott, Jr. (along with his family members and related or affiliated entities), a member of BHE's Board of Directors, and Gregory E. Abel, BHE's Executive Chairman.

**6. If you are aware of any other person or entity with information responsive to this request, please identify such persons.**

Answer: Respondents have no direct knowledge that another entity has relevant information. The entities listed below may have information.

Question 1. Northern Natural Gas Company, Council Bluffs Gas Company

Question 2. Northern Natural Gas Company, Council Bluffs Gas Company

Question 3. Northern Natural Gas Company, Dynegy

Question 4. Northern Natural Gas Company, BHE, Dynegy

Question 5. Northern Natural Gas Company

If you have additional questions for Respondents, please direct them to my attention.

Sincerely,

  
Peg Roy  
Senior Attorney